

Amendments to the Claims

The listing of claims presented below replaces all prior versions, and listings, of claims in the application.

Listing of claims:

1-4. (Canceled)

5. (Currently Amended) An [[The]] in mold labeled [[type]] plastic container, according to one of claims 1-3, fabricated by an in mold labeling fabricating method by which molding of the container and labeling are accomplished at the same time by fitting an in mold label into a gap, and injecting molten resin into said gap, said gap being formed by using a female metal mold and a male metal mold and by joining said female mold and male mold, wherein a flange part is formed at the upper end of the side part of the container and with dimensions of 2 mm or more in flange width and 0.5 mm or more in flange thickness, wherein the container is fabricated by using said female metal mold and male metal mold which are a female metal mold and a male metal mold were joined at the flange part in the formed container, and so designed that the flange width y' of [[a]] the flange part formed by the female mold is smaller than the flange width y of [[a]] the flange part formed by the male mold, wherein the flange width y' is a width between the inner end of the flange part which is located at lower side of the flange part and the outer end of flange part formed by the female mold, and the flange width y is a width between the inner end of the flange part which is located at lower side of the flange part and the outer end of flange part formed by the male mold.

6. (Currently Amended) The in mold labeled [[type]] plastic container according to claim 5 one of claims 1-3, wherein the thickness of said label is not more than 150 μ m.

7. (Currently Amended) The in mold labeled [[type]] plastic container according to claim 5 one of claims 1-3, wherein the label is a label having a configuration in which a plurality of thin films are stacked, the thin film positioned on the front face and the thin film positioned on the rear face consist of thin films of the same material, and

further at least a resin film layer and a barrier layer having a defined strength or barrier layers having a defined strength are stacked between these thin films.

8. (Currently Amended) The inmold labeled ~~[[type]]~~ plastic container according to claim 7, wherein the thin film positioned on the front face and the thin film positioned on the rear face of said label consist of biaxially oriented polypropylene resin film layers or polyethylene resin film layers, said resin film layers having a defined strength consist of biaxially oriented polyethylene terephthalate film layers, biaxially oriented polyamide film layers or biaxially oriented polypropylene film layers, and the barrier layers consist of metal foil layers, vapor-deposited metal film layers or inorganic vapor-deposited oxide film layers.

9. (Currently Amended) The inmold labeled ~~[[type]]~~ plastic container according to claim 5 ~~one of claims 1-3~~, wherein the relationship between the fluid length (L) of the injected molten resin and the average wall thickness (t) of the container is:

$$L/t \leq 250.$$

10. (New) The inmold labeled plastic container according to claim 5, wherein a bottom rim is formed in the bottom part of the container, with a dimension of not less than 0.3 mm but not more than 20 mm, and the bottom rim is labeled in a similar way to the side part of the container.

11. (New) The inmold labeled plastic container according claim 10, wherein the relationships among the wall thickness (A) of the intersection between said bottom rim and the bottom part of the container, the wall thickness (B) of the bottom part of the container and the wall thickness (C) of the side part of the container are:

$$A \leq 2 \times B \text{ and}$$

$$A \leq 2 \times C.$$